

REMARKS

The present application includes pending claims 1-25, all of which have been rejected. By this Amendment, claims 1-5, 7-9, 12-17, 19 -22 have been amended, while new claims 26-33 have been added.

The specification was objected to due to missing information in paragraph [0002]. This paragraph has been amended to overcome this objection.

The drawings were objected to because “figure letter ‘C’ of Figure 5 is labeling an incorrect location as mention[ed] in the specification. According to paragraph [76] of the specification, step ‘C’ should be labeling where ‘the first party 501 accesses the third-party channel 504 using a media guide user interface 502 on a PC 503’.” *See* October 31, 2007 Office Action at page 3. The Applicants have attached a replacement drawing sheet that indicates that step C is proximate the first party 501.

Claims 1-3, 5-23 and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. 2002/0016971 (“Berezowski”) in view of U.S. 2004/0003040 (“Beavers”). Claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Berezowski in view of Beavers and U.S. 7,003,795 (“Allen”). Claim 24 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Berezowski in view of Beavers and U.S. 6,233,428 (“Fryer”). The Applicants respectfully traverse these rejections for at least the following reasons:

I. The Proposed Combination Of Berezowski And Beavers Does Not Render Independent Claim 1 Unpatentable

Independent claim 1 has been amended to recite, in part, “server software that maintains a user defined association of the first and second network addresses, receives a request identifying one of the first and second associated network addresses, and that responds by

identifying the other of the associated first and second network addresses to support exchange of the media from the at least one first media peripheral to the second television display for consumption in a real time manner.

A. “Server Software That Maintains A User Defined Association Of The First And Second Network Addresses”

Initially, claim 1 has been amended to recite that the server software “maintains a user defined association of the first and second network addresses.” The Applicants respectfully submit that neither Berezowski, nor Beavers, describes, teaches or suggests “server software that maintains a **user defined association** of the first and second network addresses [of the first and second set top box circuitries, respectively].” Thus, for at least this reason, the proposed combination of Berezowski and Beavers does not render claims 1-3 and 5-12 unpatentable.

B. “Server Software That Receives A Request Identifying One Of The First And Second Associated Network Addresses, And That Responds By Identifying The Other Of The Associated First And Second Network Addresses”

The Office Action acknowledges that the “claimed ‘server software that receives a request identifying one of the first and second associated network addresses, and that responds by identifying the other of the associated first and second network addresses to support exchange of the media from the at least one first media peripheral to the second television display for consumption in a real time manner’ is not explicitly taught by Berezowski et al. reference.” *See* October 31, 2007 Office Action at page 6. In order to overcome this deficiency, the Office Action cites Beavers at paragraphs [0045] and [0046].

Paragraph [0045] of Beavers recites, however, the following:

In general, a computer network broadcast (or more properly, "multicast") is provided to the set of receivers who have first "subscribed" to the information. In this case the receivers are the

conferencees who have joined the same conference. In order for a conferencee to participate in a conference, they must have an IP multicast group address to which their A/V data is to be sent starting at the appointed time for the conference. The multicast group address is just a special case of an ordinary IP address. However, unlike an ordinary address which is used to identify the "location" of a receiver where data is to be sent, a multicast group address is used by routers in the network to identify data being transmitted on the network as part of the multicast, so that it can be routed to a subscribing conferences (who will have a completely different address). A conferencee joins a scheduled conference by "entering" a prescribed venue selected for the meeting. A venue is, in essence, just the aforementioned multicast address, but it seems to the conferencees to be a virtual conference room for the conference. A venue is entered by each conferencee subscribing to the multicasts of all the conferencees. This is done by the conferences notifying the network that they wish to join the multicast group. These subscriptions to the group cause various routers in the network to update their states, to ensure that the multicast information eventually reaches the subscribing conferencees.

The paragraph of Beavers reproduced above discloses that a conferencee must have an IP multicast group address to which A/V data is to be sent. The address is used by routers in the network to identify data being transmitted on the network as part of the multicast. Conferencees notify the network that they wish to join the multicast group, at which point the routers in the network update their states. However, this paragraph does not describe, teach or suggest server software that "receives a request identifying one of the first and second associated network addresses [of the first and second set top box circuitries, respectively], and that **responds by identifying the other** of the associated first and second network addresses [of the first and second set top box circuitries, respectively]."

Next, paragraph [0046] of Beavers recites the following:

Thus, referring to FIG. 2, each conferencee 200a-c sends A/V data 202a-c from their physical location to the network 204 using the

specified venue multicast address. When a network router receives data with that address, it sends copies of the data (which is typically in the form of a continuing sequence of packets on the Internet) through each outgoing interface that leads to a subscribing conferencee. This causes the data 206a-c to reach the conferencees at some point, albeit with the inevitable loss due to network congestion and buffer overflow. However, the losses can be mitigated using a standard layered multicast scheme with integrated forward error correction layers. Protocols are also employed to include identifiers in the A/V data packets that identify the conferencee that multicast the data. In this way, each conferencee's computer can receive and reconstruct the audio and video sent by each of the other conferencee, and know what conferencees are participating in the conference. Thus, the audio and video of each of the other conferencees can be played by the receiving conferences.

This paragraph of Beavers discloses that a conferencee sends A/V data to a network using a specified address, at which point, the network router sends copies of the data to a subscribing conferencee. Again, however, this paragraph does not describe, teach or suggest server software that “receives a request identifying one of the first and second associated network addresses [of the first and second set top box circuitries, respectively], and that **responds by identifying the other** of the associated first and second network addresses [of the first and second set top box circuitries, respectively].”

The Applicants respectfully submit that the portions of Beavers relied on by the Office Action do not disclose the relevant limitations. Thus, for at least this reason, the Applicants respectfully request reconsideration of the rejection of claims 1-3 and 5-12.

II. The Proposed Combination Of Berezowski And Beavers Does Not Render Independent Claim 13 Unpatentable

Independent claim 13 recites, in part, “server software that maintains a user defined association of the first and second network addresses,” as amended. For at least the reasons

discussed above in Section I.A., the Applicants respectfully submit that the proposed combination of Berezowski and Beavers does not render claims 13-19 unpatentable.

III. The Proposed Combination Of Berezowski And Beavers Does Not Render Independent Claim 20 Unpatentable

Independent claim 20 recites, in part, “maintaining a user defined association of a first network address with respect to a first location and a second network address with respect to a second location.” For at least the reasons discussed above in Section I.A., the Applicants respectfully submit that the proposed combination of Berezowski and Beavers does not render claims 20-23 and 25 unpatentable.

IV. The Proposed Combinations Of References Do Not Render Claims 4 And 24 Unpatentable

Claim 4 stands rejected as being unpatentable over Berezowski in view of Beavers and Allen. The Applicants respectfully request reconsideration of this claim rejection for at least the reasons discussed above with respect to claim 1.

Claim 24 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Berezowski in view of Beavers and Fryer. The Applicants respectfully request reconsideration of this claim rejection for at least the reasons discussed above with respect to claim 20.

V. New Claims 26-33

New claims 26-33 have been added and should be in condition for allowance for at least the reasons discussed above. The fee for these new claims is calculated as follows:

$$8 \text{ new claims} \times \$50/\text{claim} = \$400$$

$$1 \text{ new independent claim} \times \$210/\text{claim} = \$210$$

$$\textbf{TOTAL} = \textbf{\$610}$$

VI. Conclusion

In general, the Office Action makes various statements regarding claims 1-25 and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. However, the Applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim).

The Applicants respectfully request reconsideration of the claim rejections for at least the reasons discussed above. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the undersigned attorney.

The Commissioner is authorized to charge any necessary fees, including the \$610 fee for the new claims, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

Date: January 11, 2008

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